

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CADILLAC UNIFORMS & LINEN
SUPPLY, INC.,

Plaintiff,

v.

CENTRAL GENERAL DE
TRABAJADORES,

Defendant.

Civil No. 19-2060 (ADC)

OPINION AND ORDER

Before the Court is Cadillac Uniform & Linen Supply, Inc.'s ("plaintiff") request for preliminary and permanent injunction, and for declaratory relief. **ECF Nos. 1, 2.** On November 11, 2019, plaintiff filed a complaint against Central General de Trabajadores ("defendant"). **ECF No. 1.** Defendant failed to appear, and the court entered default against it. **ECF Nos. 15, 16.**

The Court referred the matter to Magistrate Judge Marcos E. López for a Report & Recommendation ("R & R"). **ECF No. 382.** On June 22, 2020, Magistrate Judge Marcos E. López issued an R & R "recommended a finding that the Court has subject matter jurisdiction over this matter pursuant to Section 301(a) of the [Labor Management Relations Act]." **ECF No. 28.** The R & R at **ECF No. 28** informed the parties they had fourteen days to file objections. The parties did not file any objections. The Court hereby deems the R & R at **ECF No. 28** unopposed and submitted for final determination.

On June 25, 2020, Magistrate Judge Marcos E. López held a hearing via VTC regarding plaintiff's requests for injunctive relief and declaratory judgment. *See ECF No. 31.* Counsel Carlos Concepción-Castro and Ada Pagán-Isona were present via VTC on plaintiff's behalf. Ms. Melissa Santiago, assisted by interpreter Carol Terry, was called as a witness on behalf of plaintiff. Sworn testimony was heard via VTC; and direct examination was conducted. Exhibits 1-4, 4-a and 4-b were presented by plaintiff and admitted into evidence. *See ECF No 32.* On July 7, 2020, Magistrate Judge Marcos E. López issued a R & R regarding plaintiff's requests for preliminary and permanent injunction and for declaratory relief. *ECF No. 33.* The Magistrate Judge recommended that plaintiff's requests for preliminary injunction, permanent injunction, and declaratory judgment, *ECF Nos. 1, 2*, be **GRANTED**. *ECF No. 33* at 15. Once again, the parties were advised they had fourteen days to file an objection. *ECF No. 33.* The parties did not file any objections. The Court hereby deems the second R & R at *ECF No. 33* unopposed and submitted for final determination.

Upon careful review of the record and the contents of both R & Rs the Court **ADOPTS** both unopposed Reports and Recommendations, at *ECF Nos. 28, 33*, and herein incorporates them by reference in full. For the reasons outlined in the R & R at *ECF No. 28* and *ECF No. 33*, the Court **GRANTS** plaintiff's requests for preliminary injunction, permanent injunction, and declaratory judgment, at *ECF Nos. 1, 2*. Accordingly, the Court declares that defendant "has no legal right to substitute for the Teamsters [Local 901] and pursue its arbitrations over the objections of [plaintiff]," *ECF No. 1* at 5, and grants "preliminary and permanent injunction and

declaratory judgment permanently restraining [d]efendants, their officers, agents, employees, attorneys and representatives, from arbitrating, or requesting or compelling [p]laintiff to arbitrate, any unresolved grievances or arbitrations relating to or filed by the Teamsters [Local 901]." ECF No. 1 at 6; ECF No. 2.

Judgment shall be entered accordingly.

SO ORDERED.

At San Juan, Puerto Rico, on this 27th day of July, 2020.

S/AIDA M. DELGADO-COLÓN
United States District Judge